

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

KRISTINE ANN LIEVEN,

Plaintiff,

v.

BRETT VERBICK, ALAN DESCHLER,  
and DR. MISO MIOSLAVIC,

Defendants.

Case No. 18-CV-1237-JPS

**ORDER**

Plaintiff, having been released from prison, was directed to file a renewed motion to leave to proceed *in forma pauperis*. (Docket #24). She did so on January 14, 2019. (Docket #26). In order to allow a plaintiff to proceed without prepaying the \$400 filing fee in this matter, the Court must first decide whether the plaintiff has the ability to pay the fee and, if not, whether the lawsuit states a claim for relief. 28 U.S.C. §§ 1915(a), (e)(2)(B). On the question of indigence, although Plaintiff need not show that she is totally destitute, *Zaun v. Dobbin*, 628 F.2d 990, 992 (7th Cir. 1980), it must be remembered that the privilege of proceeding *in forma pauperis* "is reserved to the many truly impoverished litigants who, within the District Court's sound discretion, would remain without legal remedy if such privilege were not afforded to them," *Brewster v. N. Am. Van Lines, Inc.*, 461 F.2d 649, 651 (7th Cir. 1972).

Plaintiff's motion states that she is unemployed and receives only \$200 per month in income from an undisclosed source. Her monthly expenses exceed \$400. Plaintiff explains that she lives in a homeless shelter and is pursuing social security disability benefits. In light of these representations, the Court finds that Plaintiff is indigent for purpose of

prepaying the filing fee. Further, the Court previously screened Plaintiff's complaint and allowed her to proceed on certain claims against Defendants. (Docket #13). She will, therefore, be granted leave to proceed *in forma pauperis*.

Accordingly,

**IT IS ORDERED** that Plaintiff's renewed motion for leave to proceed *in forma pauperis* (Docket #26) be and the same is hereby **GRANTED**.

Dated at Milwaukee, Wisconsin, this 18th day of January, 2019.

BY THE COURT:



J. P. Stadtmueller  
U.S. District Judge